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9 Attorneys for Plaintiff,  
10 Sun Microsystems, Inc.

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA

13 SAN JOSE DIVISION

14  
15 SUN MICROSYSTEMS, INC., a Delaware  
corporation,

16 Plaintiff,

17 v.

18 NETWORK APPLIANCE, INC., a  
19 Delaware corporation,

20 Defendant.  
21

CASE NO. C-07-05488

**PROOF OF SERVICE**

**CORPORATE LEGAL SERVICES**PO BOX 27975  
LOS ANGELES CA 90027

31025.31025

31025

Phone: 213 202-6030, FAX: 213 202-6045

B1. Betty

Assigned To: DONNA L. SMITH

Received: 11/07/07 Client Matter #347155-29 Type of Service: **Priority** Special: **No**

Client: DLA PIPER US LLP

Attention: LARRY LANDRY Attorney File No: 80913

Address 1: 2000 UNIVERSITY AVENUE Fax: 650 833-2001 Phone: 650 833-2000

City, State Zip: PALO ALTO, CA 94303 Client ID: DLAIPA

Plaintiff: SUN MICROSYSTEMS, INC.

Defendant: NETWORK APPLIANCE, INC.

Representing: Plaintiff Case Number: C-07-05488 JW

Court: UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA

Hearing Date: Status: 11/12/07 Last Day to Serve: Last Day to Sub:

Serve Docs To: NETWORK APPLIANCE, INC., a Delaware corporation(5980)

Description: Race: , Sex: , Age: , Hair: , Eyes: , Height: , Weight:

Documents: FIRST AMENDED COMPLAINT;

Loc	Date	Time	Server	Code	Comments

(P) Personal Service

(T) by Posting

(W) Warm Body CCP 1011

(Z) First Class Mail CCP 415.46

(R) Returned Not Served

(U) Posted At Residence

(X) Posted

Manner: (S) Substituted Service

(V) Posted at Business

(Y) Certified Mail CCP 415.45

Date Served: / / Time Served:(Military) Served By:

Served At: [H]ome, [B]usiness, or [U]sual Place of Mailing [X] For Changes Above in Address Boxes.

(3.b.)Person Served Witness Fees: \$

Race: , Sex: , Age: , Hair: , Eyes: , Height: , Weight:

Relationship (3.b.)By Leaving Copies With

Mailed From Mailed Date Time

31025.31025

Attorney or Party without Attorney: <b>DLA PIPER US LLP</b> 2000 UNIVERSITY AVENUE PALO ALTO, CA 94303 Telephone No: 650 833-2000 FAX No: 650 833-2001				For Court Use Only			
Attorney for: Plaintiff						Ref. No. or File No.: 80913	
Insert name of Court, and Judicial District and Branch Court: United States District Court, Northern District Of California							
Plaintiff: SUN MICROSYSTEMS, INC. Defendant: NETWORK APPLIANCE, INC.							
<b>PROOF OF SERVICE</b> <b>FIRST AMENDED COMPLAI</b>		Hearing Date:	Time:	Dept/Div:	Case Number: C-07-05488 JW		

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of the FIRST AMENDED COMPLAINT

3. a. Party served: NETWORK APPLIANCE, INC., a Delaware corporation  
 b. Person served: MARGARET WILSON, Agent for Service of Process

4. Address where the party was served: C.T. CORPORATION SYSTEMS  
 818 W. 7TH STREET  
 2ND FLOOR  
 LOS ANGELES, CA 90017

5. I served the party:

a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Mon., Nov. 05, 2007 (2) at: 2:50PM

7. Person Who Served Papers:

a. DONNA L. SMITH  
 b. CORPORATE LEGAL SERVICES  
 PO BOX 27975, Registration # 2296  
 LOS ANGELES, CA 90027  
 c. 213 202-6030, FAX 213 202-6045

Recoverable Cost Per CCP 1033.5(a)(4)(B)

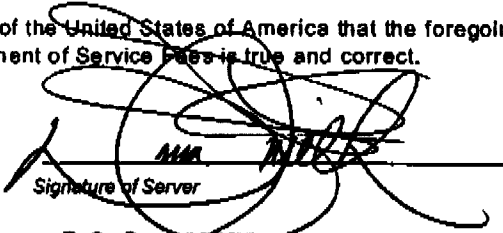
d. The Fee for Service was:

e. I am: (3) registered California process server  
 (i) Independent Contractor  
 (ii) Registration No.: 4364  
 (iii) County: Los Angeles  
 (iv) Expiration Date: Sun, Jun. 08, 2008

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date: Wed, Nov. 07, 2007

AO 440 (Rev. 8/01) Summons in a Civil Action

<b>RETURN OF SERVICE</b>		
Service of the Summons and Complaint was made by me <sup>1</sup>		DATE November 5, 2007 at 2:50pm
Name of SERVER  Donna L. Smith	TITLE Registered California Process Server	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="display: flex; flex-direction: column; gap: 10px;"> <div> <input checked="" type="checkbox"/> Served Personally upon the Defendant. Place where served:  <div style="margin-left: 40px;">Margaret Wilson, Agent for Service of Process 818 W. 7th Street, 2nd Floor Los Angeles, CA 90017</div> </div> <div> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  Name of person with whom the summons and complaint were left: </div> <div> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div> </div>		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="width: 40%;"> <p>Executed on <u>11/8/2007</u></p> <p style="text-align: center; font-size: small;">Date</p> </div> <div style="width: 50%; text-align: center;">   <p>Signature of Server</p> <p>P.O. Box, 27975, L.A., CA 90027</p> <p>Address of Server</p> </div> </div>		
<p>(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure</p>		